

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

In re:  
SAMIA EL-MOSLIMANY  
Debtor

Case No. 18-14820-CMA  
Chapter 7

**DECLARATION OF DONALD A  
BAILEY**

Donald A Bailey hereby declares under penalty of perjury as follows:

1. I am the attorney for the debtor herein. I make this declaration on personal knowledge.

2. Attached as Exhibit A is email correspondence between the debtor and Washington Federal Bank, wherein the bank reiterates its refusal to accept monthly payments.

3. Attached as Exhibit B is email from Denice Moewes, estimating the administrative expenses incurred by the trustee as of January 2021 to be \$96,000.

4. Attached as Exhibit C is a copy of the building permit for the remodel of the El-Moslimany residence in 2010, showing a remodel cost of \$369,000.

5. I informed Samia El-Moslimany of the trustee's motion to list the Homestead on April 13, 2021. She became hysterical. She was subsequently admitted to the hospital (in the Washington D.C. area, where she was visiting her son) with suicidal ideation and severe depression. She has been unable to assist me, and I have been unable to consult with her, in formulating a response to the trustee's motion to list the Homestead as well

**DONALD A BAILEY**  
1601 Fifth Avenue, #610  
Seattle WA 98101  
206 910 2384  
donald.bailey@shaferbailey.com

DECLARATION OF BAILEY - 1

1 as the trustee's motion to incur administrative expense for subpoenas to Samba Bank in  
2 Saudi Arabia.

3 6. Attached as Exhibit D is a letter from Samia El-Moslimany's psychiatrist  
4 following her discharge from the hospital on April 16, 2021, wherein the doctor  
5 recommends a six to eight week hiatus from the stress of this litigation, until the anti-  
6 depressant medications can take effect.

7 Dated: April 23, 2021

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9 /s/ Donald A Bailey

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28 DECLARATION OF BAILEY - 2

**DONALD A BAILEY**  
1601 Fifth Avenue, #610  
Seattle WA 98101  
206 910 2384  
donald.bailey@shaferbailey.com

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## Questions about questionnaires

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**Samia El-Moslimany** <samiaelmo@gmail.com>  
To: Ricka Gerstmann <Ricka.Gerstmann@wafd.com>

Fri, Jul 24, 2020 at 7:24 PM

Hello Ricka,



Please find attached the completed questionnaires. We will have the applications and documents to you by next week.

As requested on the questionnaire, I made a regular monthly payment, and the Rainier Beach branch refused to take the payment. They said they contacted you, and that it was your instruction not to take my payment. I am confused as to what we are supposed to do during this process. Please advise.

Samia El-Moslimany  
206-409-3407  
[Quoted text hidden]

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### 2 attachments

-  **MRC Questionnaire and Borrower's Ack FOUAD & ANN Signed .pdf**  
383K
-  **MRC Questionnaire and Borrower's Ack SAMIA SIGNED FINAL.pdf**  
1568K

## Exhibit A

## Questions about questionnaires

**Ricka Gerstmann** <Ricka.Gerstmann@wafd.com>  
To: Samia El-Moslimany <samiaelmo@gmail.com>

Tue, Jul 28, 2020 at 11:11 AM

I'm sorry, that instruction should have been removed. We can't accept less than the entire delinquent amount at this time. Please just get the rest of the application documents to me as soon as you can.

**Ricka Gerstmann***Vice President, Special Assets Officer*

Special Credits Department



425 Pike Street, Seattle, WA 98101

Office: 206-777-8354

[ricka.gerstmann@wafd.com](mailto:ricka.gerstmann@wafd.com) | [wafdbank.com](http://wafdbank.com)

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**From:** Samia El-Moslimany <samiaelmo@gmail.com>  
**Sent:** Friday, July 24, 2020 4:25 PM  
**To:** Ricka Gerstmann <Ricka.Gerstmann@wafd.com>  
**Subject:** Re: Questions about questionnaires

Hello Ricka,

Please find attached the completed questionnaires. We will have the applications and documents to you by next week.

As requested on the questionnaire, I made a regular monthly payment and the Rainier Beach branch refused to take the payment. They said they contacted you, and that it was your instruction not to take my payment. I am confused as to what we are supposed to

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## Questions about questionnaires

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**Samia El-Moslimany** <samiaelmo@gmail.com>

Wed, Jul 29, 2020 at 7:14 PM

To: Ricka Gerstmann <Ricka.Gerstmann@wafd.com>, Fouad Dehlawi <fdehlawi@gmail.com>, Ann El-Moslimany <annelmoslimany@yahoo.com>, Zakariya Dehlawi <zdehlawi@gmail.com>

Hello Ricka,

That seems highly irregular that an official instruction in bold and all caps, "**DURING THIS APPLICATION PROCESS PLEASE CONTINUE MAKING PAYMENTS AS SCHEDULED,**" was an oversight. It was humiliating for me as I stood waiting for a half hour as the staff tried to get a hold of you, and then in the end, rejected my payment.

On Tue, Jul 28, 2020 at 8:11 AM Ricka Gerstmann <[Ricka.Gerstmann@wafd.com](mailto:Ricka.Gerstmann@wafd.com)> wrote:

I'm sorry, that instruction should have been removed. We can't accept less than the entire delinquent amount at this time. Please just get the rest of the application documents to me as soon as you can.

**Ricka Gerstmann**

*Vice President, Special Assets Officer*

Special Credits Department

## Exhibit B

**Donald A Bailey**

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**From:** "Denice E. Moewes" <dmoewes@aol.com>  
**Date:** Tuesday, January 19, 2021 11:01 AM  
**To:** <donald.bailey@shaferbailey.com>  
**Subject:** Re: El-Moslimany FRE 408

Around \$90,000 with costs of \$6,600.00.

Denice E. Moewes  
 Wood & Jones PS  
 303 N. 67th Street  
 Seattle WA 98103-5209

Phone: 206-623-4382  
 Fax: 206-224-4895

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-----Original Message-----

From: Donald A Bailey <donald.bailey@shaferbailey.com>  
 To: Denice E. Moewes <dmoewes@aol.com>  
 Sent: Tue, Jan 19, 2021 10:50 am  
 Subject: Re: El-Moslimany FRE 408

So, what are the trustee's attorney fees to date?

Donald A Bailey  
 Attorney at Law  
 1601 Fifth Avenue, Suite 610  
 Seattle WA 98101  
 Phone: 206 910 2384

**From:** [Ghqlfh#1# rhz hv](#)  
**Sent:** [#wxhvgd|/ #dqxd| #4 </#5354#13-44#DP](#)  
**To:** [grqdcledh|C vkdiuedh|lfrp](#)  
**Subject:** [#Uh=#HOP rvd|dq| #UH#73;](#)

Yes.





# Burien

Washington, USA

Department of Community Development  
415 SW 150th Street, Burien, WA 98166  
Phone: (206) 241-4647 Fax: (206) 248-5539  
www.ci.burien.wa.us

For inspection request see reverse side

## Exhibit C

# SITE COPY

## Building Permit

Permit #: **BLD-05-1493**

Date Issued: 06/14/2006

Date Expired: 12/11/2006

Issued By: Mary Gianelli

Approved By: Kirk Gentile

### Project Information

Project Name: EL MOSLIMANY RESIDENCE

Description: RESIDENTIAL ADDITION / REMODEL IN CRITICAL AREA

Site Address: 2655 SW 151ST PL

Applicant Name: Austin Kovach

Parcel Number: 7638000120

Address: 101 W Main St

Company: Kovach Architects

City / State / Zip: Monroe, WA

### Building Information

Project Type: Single Family Addition

Valuation: \$369,000.00

Construction Type:

Total Square Feet: 14,000

Occ. Group / Division

Number of Stories:

Zoning: RS-12000

Proposed Dwelling Unit:

### Fee / Payment Information

Item	Date Received	Amount
Fee Preliminary Plan Review Fee - Building	09/14/2005	\$1,625.10
Fee Planning and Zoning Review Fee	06/13/2006	\$120.00
Fee Building Permit Fee	06/13/2006	\$2,500.15
Fee Mechanical Fixture Fee	06/13/2006	\$150.00
Fee Plumbing Fixture Fee	06/13/2006	\$150.00
Fee State Surcharge	06/13/2006	\$4.50

# RECEIVED

JUN 14 2006

Amount Due: \$4,549.75

Total Payment: \$4,549.75

Account Balance: \$0.00

### Contractor Information

Company	Phone	Ext	License Number	Expiration
ALPINE RIDGE CONSTRUCTION	(206) 246-4063		ALPINRC103K2	05/18/2008

DISCLAIMER: I certify that the information furnished by me in this application is true and correct to the best of my knowledge and that all applicable codes will be followed. I further certify that I am the owner of the above mentioned property or am authorized to act in this owner's behalf with regard to the application of this permit.

Print Applicant Name: Ann El-Moslimany

Applicant Signature: Ann P. El-Moslimany

Date: June 14, 2006

Issued By: Mary Gianelli

Date: 6-14-06

11/27/07 site visit ME

**Exhibit D**

4/21/2021

To Whom It May Concern,

Ms. Samia El-Moslimany was admitted to Spotsylvania Regional Medical Center (SRMC) Behavioral Health Unit on 4/13/21. The admission to this locked, inpatient psychiatric unit was necessary to mitigate the risk of suicide and to provide further evaluation and treatment. Her evaluation was consistent with major depressive disorder, without psychotic features. This depressive episode was likely precipitated by her current stressors.

She was prescribed medication for treatment of depression. Often times it could take from 6 to 8 weeks before full medication effect is realized. For that reason, our recommendation is that she seek all means necessary to decrease the stressors that likely precipitated her decompensation.

She was discharged on 4/16/21. We recommended continuation of treatment through outpatient follow up with psychotherapy as well as psychiatry for medication management.

Please pardon our delay in delivering this note in a timely manner. We intended to provide her this letter upon discharge, on 4/16/21, but it was delayed due to administrative issues.

If you have any further questions please feel free to contact SRMC at 540-498-4000.

Respectfully,



Rami R. Zanoun, M.D.  
Psychiatry  
Medical Director, SRMC Behavioral Health Unit